

AGENDA ITEM



CITY OF LODI COUNCIL COMMUNICATION

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AGENDA TITLE: Set Public Hearing for September 3, 2008, to Consider Resolution Setting Fee for Storm Drainage Development Standard Plans Compliance Inspection for Post Construction Best Management Practices as Required in the Standards

MEETING DATE: August 20, 2008

PREPARED BY: Public Works Director

RECOMMENDED ACTION: Set a public hearing for September 3, 2008, to consider a resolution setting the fee for Storm Drainage Development Standard Plans compliance inspection for post construction Best Management Practices as required in the Standards.

BACKGROUND INFORMATION: The State Water Resources Control Board issued the City of Lodi Permit **WDID** No. 5B39NP00028 (Permit) that governs the discharge of storm water runoff. A condition of that permit requires the adoption of a Stormwater Development Standards Plan (Standards) per Attachment No. 4 of the State's General Discharge Permit. These Standards were adopted by Council at the August 6, 2008 meeting.

The Permit requires inspections of the Best Management Practices (BMPs) required by the Standards during construction and annually thereafter to confirm they are being correctly maintained and operated. The construction inspection fee was adopted by City Council on April 18, 2007 and is currently \$122 per site per visit. The proposed post-construction fee is \$122 per site per year, assuming a single visit is required. The property owner would be billed after each inspection. Should a site require multiple inspections, that expense would also be billed.

The Standards also apply to subdivisions of ten lots or greater, in which case, community-serving BMPs may be required. Although the construction cost for the BMPs would be borne by the developer, the costs for the annual inspections would belong to the City. Alternatives for funding this class of inspections include Community Facilities Districts for Public Services, Homeowner Associations, and Lighting and Landscape Maintenance Districts. Policy direction on this class of BMPs will be brought to the City Council on a case-by-case basis.

The fee will become effective 30 days after the date of adoption of the resolution and would be annually adjusted on July 1, using the Consumer Price Index (San Francisco, Urban, unadjusted).

Staff requests the City Council set a public hearing for September 3, 2008, to consider a resolution establishing the fee for the Storm Drainage Development Standard Plans compliance inspection for post construction Best Management Practices as required in the Standards.

FISCAL IMPACT: Not applicable.

FUNDING AVAILABLE: Not applicable.

A handwritten signature in cursive script, reading "F. Wally Sandelin".

F. Wally Sandelin
Public Works Director

Prepared by George M. Bradley, Streets & Drainage Manager
FWS/GMB/dsg

APPROVED:

A handwritten signature in cursive script, reading "Blair King".
Blair King, City Manager



***Please immediately confirm receipt
of this fax by calling 333-6702***

CITY OF LODI
P. O. BOX 3006
LODI, CALIFORNIA 95241-1910

ADVERTISING INSTRUCTIONS

**SUBJECT: PUBLIC HEARING TO CONSIDER RESOLUTION SETTING FEE
FOR STORM DRAINAGE DEVELOPMENT STANDARD PLANS
COMPLIANCE INSPECTION FOR POST CONSTRUCTION BEST
MANAGEMENT PRACTICES AS REQUIRED IN THE STANDARDS**

PUBLISH DATE: SATURDAY, AUGUST 23, 2008

LEGAL AD

TEAR SHEETS WANTED: One (1) please

SEND AFFIDAVIT AND BILL TO: RANDI JOHL, CITY CLERK
City of Lodi
P.O. Box 3006
Lodi, CA 95241-1910

DATED: THURSDAY, AUGUST 21, 2008

ORDERED BY: RANDI JOHL
CITY CLERK


JENNIFER M. FERRIN, CMC
DEPUTY CITY CLERK

MARIA BECERRA
ADMINISTRATIVE CLERK

Verify Appearance of this Legal in the Newspaper – Copy to File

LNS Faxed to the Sentinel at 369-1084 at 8:10 am (time) on 8/22/08 (date) 2 (pages)
Phoned to confirm receipt of all pages at _____ (time) _____ JLT _____ DRC _____ JMP (initials)



DECLARATION OF POSTING

PUBLIC HEARING TO CONSIDER RESOLUTION SETTING FEE FOR STORM DRAINAGE DEVELOPMENT STANDARD PLANS COMPLIANCE INSPECTION FOR POST CONSTRUCTION BEST MANAGEMENT PRACTICES AS REQUIRED IN THE STANDARDS

On Friday, August 22, 2008, in the City of Lodi, San Joaquin County, California, a Notice of Public Hearing to consider resolution setting fee for Storm Drainage Development Standard Plans compliance inspection for post construction best management practices as required in the Standards (attached and marked as Exhibit A) was posted at the following locations:


Lodi Public Library
Lodi City Clerk's Office
Lodi City Hall Lobby
Lodi Carnegie Forum

I declare under penalty of perjury that the foregoing is true and correct.

Executed on August 22, 2008, at Lodi, California.

ORDERED BY:

**RANDI JOHL
CITY CLERK**


JENNIFER M. PERRIN, CMC
DEPUTY CITY CLERK

MARIA BECERRA
ADMINISTRATIVE CLERK



CITY OF LODI

Carnegie Forum
305 West Pine Street, Lodi

NOTICE OF PUBLIC HEARING

Date: September 3, 2008

Time: 7:00 p.m.

For Information regarding this notice please contact:

Randi Johl,
City Clerk

Telephone: (209) 333-6702

EXHIBIT A

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on Wednesday, September 3, 2008, at the hour of 7:00 p.m., or as soon thereafter as the matter may be heard, the City Council will conduct a public hearing at the Carnegie Forum, 305 West Pine Street, Lodi, to consider the following matter:

- a) Consider resolution setting fee for Storm Drainage Development Standard Plans compliance inspection for post construction best management practices as required in the Standards.

Information regarding this item may be obtained in the Public Works Department, 221 West Pine Street, Lodi, (209) 333-6706. All interested persons are invited to present their views and comments on this matter. Written statements may be filed with the City Clerk, City Hall, 221 West Pine Street, 2nd Floor, Lodi, 95240, at any time prior to the hearing scheduled herein, and oral statements may be made at said hearing.

If you challenge the subject matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice or in written correspondence delivered to the City Clerk, 221 West Pine Street, at or prior to the close of the public hearing.

By Order of the Lodi City Council:

Randi Johl
City Clerk

Dated: **August 20, 2008**

Approved as to form:

D. Stephen Schwabauer
City Attorney